

MINUTES

Citizens' Independent Transportation Trust Meeting

Monday, June 23, 2003
Stephen P. Clark Center
111 NW 1st Street
County Commission Chambers
Miami, FL 33128

Meeting called by:

Hon. Michael Abrams, Interim Chairman called the meeting to order at 9:10 a.m.

Attendees:

Marc Bouniconti, LtCol Colmenares, John Cosgrove, Henry Lee Givens, Thamara Labrousse, James Reeder, Theodore Wilde

Excused: Luis Morse, Maria Elena Coto

Absent: Clarence Days

Agenda topics

ROLL CALL
APPROVAL OF MINUTES
COMMITTEE REPORTS
PRESENTATIONS
ACTION ITEMS
NEW BUSINESS
CITIZENS REMARKS
NEXT MEETING
ADJOURNMENT

Mr. Abrams asked LtCol Colmenares to discuss the item relating to Commissioner Seijas, concerning her commission district 13.

LtCol Colmenares referred to Commissioner Seijas' item " Deletion of NW 170 Street from the People's Transportation Plan (PTP) ". The PRC is recommending that the Commissioner reconsider that project for another project in her district since the monies are already earmarked in her district.

Mr. Abrams invited Commissioner Natasha Seijas to comment on the proposed resolution. Commissioner Seijas thanked the members for giving her an opportunity to address the Trust. In addition, she thanked LtCol Colmenares for visiting the site and speaking to the residents in that area. She further stated that the ordinance levying the transit surtax erroneously included a roadway project in District 13 to widen N.W. 170th Street from two to four lanes between NW 77th Avenue and NW 87th Avenue. She requested that the monies allocated for that project to be considered for the 87th Avenue project, which extends the street in Hialeah to 154 Street in Miami Lakes.

Mr. Abrams asked for a motion to delete the item. LtCol Colmenares said he would like to continue with the agenda and make the recommendation at the appropriate time. Mr. Givens interjected that the motion should be made while the Commissioner is present.

Mr. Pete Hernandez, Assistant County Manager stated that he would like to support the deletion of the item.

LtCol Colmenares made a motion to approve resolution 51A on the agenda to amend the People's Transportation Plan by deleting a street-widening project described as "NW 170th Street" which calls for the widening of this street from two lanes to four lanes, seconded by Mr. Givens and carried without dissent.

Mr. Cuevas, Assistant County Attorney asked if the Trust wanted to amend resolution 51A to include language regarding earmarking the monies to be used for the 87th Avenue road extension project that Commissioner Seijas referred to in her district.

LtCol Colmenares said he would prefer for the PRC to review that project before making a recommendation.

Mr. Abrams introduced and welcomed James A. Reeder who was appointed by the Dade League of Cities as its representative to serve on the CITT.

APPROVAL OF MINUTES

Mr. Abrams asked for a motion to approve the May 17, 2003 minutes. A motion was made by Mr. Givens, seconded by LtCol Colmenares and carried without dissent.

COMMITTEE REPORTS

Mr. Abrams thanked all the members for their hard work in the committee meetings, especially LtCol Colmenares for his dedication visiting each project site and creating a mechanism for approving PTP projects. He asked members who are serving on one committee to consider

serving on the Bylaws Committee. A discussion of hiring an independent auditor was discussed at the Budget and Finance committee to review the County Manager's budget recommendations that are submitted to the BCC. The Trust needs to carefully review those recommendations as it relates to the maintenance of effort.

Mr. Wilde stated that the Budget and Finance Committee discussed the issue of hiring an independent auditor and will be considering the various options available to the Trust. Ms. Labroussee will be investigating those options and will report back to the Budget and Finance Committee in July. In addition, the committee is expected to receive and review the current fiscal year budget and the proposed budget for 2004 at the next Budget and Finance meeting on July 22, 2003. The other issue going to be reviewed is the 21- year plan that is being prepared by an outside OPTM consultant.

Mr. Libhaber said the Trust needs to make a motion to request approval from the County Manager to either use county internal auditor or to access existing county contracts with various auditing corporations. A resolution is not needed with the request.

LtCol Colmenares, Chairman Project Review Committee (PRC) thanked Mr. Abrams for his guidance, the committee members and OPTM staff for their support. The citizens of Miami-Dade County have approved the PTP on November 5, 2002, however PRC felt it was important to review and visit each project and is recommending a resolution to reaffirm those reviewed projects (attached) to the BCC for full adoption and implementation.

LtCol Colmenares presented a power-point presentation of the PTP project recommendations, which included: a summary of the projects submitted for approval/reconsideration; funding priority recommendation; and a detailed projects section, which is further broken down into four groups. The groups are also highlighted by a green light indicating full concurrence as submitted, a yellow light indicating project should be reconsidered by the commissioner for the following district 6, 7, 9 and 13, and red light indicating that further action is required by the PRC. The PRC utilized an evaluation criteria based on; Flexibility, Feasibility, Fiscally Sound, and general Feeling of those citizens affected by the proposed projects. He believes that by the next CITT meeting he will have completed reviewing each project and obtained the information needed from MDT, OPTM and PWD. Reviewing non-PTP projects will get more complicated once the municipalities begin receiving their allocation and begin their projects. He requested from OPTM a copy of all Interlocal agreement that have been approved. In addition, he distributed a flow chart on the process of implementing projects and the status of the North Corridor, which is an extension of 27th Avenue to Joe Robbie Stadium.

He requested a motion to approve the PRC recommendations to the BCC reaffirming the PTP.

Mr. Cosgrove complimented LtCol Colmenares and the committee for the excellent work. He asked the County Attorney for a clarification about reaffirming the PTP to the BCC.

LtCol Colmenares responded that the PTP has been approved and is part of the ordinance. The PRC is making a recommendation to the CITT to submit the recommendation to the BCC to reaffirm the PTP.

Mr. Cosgrove suggested making a recommendation to approve the projects reviewed by the PRC with the exception of the project deleted in District 13. His concern is that the Trust is new and any action taken is setting a precedent for the future Trust members.

Mr. Libhaber noted that the ordinance was passed by the BCC and will remain unchanged unless the CITT makes modification, which are then approved by the BCC. The PTP does not need to be reaffirmed because the ordinance has not been changed except for the modification that was made today to District 13. He suggested that the Trust forward a report to the BCC stating that the following projects have been approved. The BCC can adopt that report.

Mr. Givens stated that the PRC did an outstanding job reviewing the projects, however, he has not had enough time to review the report. He would like ample time to review actions items before the meeting.

LtCol Colmenares stated that he agrees that the members should receive the information with ample time to review, however, the committees are created for the purpose to give committee members the opportunity to carefully review the items and make the appropriate recommendations to the Trust.

Mr. Cosgrove said the members should have confidence with the committee recommendations. He is comfortable with PRC report and would like to move approval, seconded by Mr. Givens and carried without dissent.

Mr. Givens, Chairman Compliance and Oversight Committee said the committee met with Marsha Jackman, Director Business and Development, Mr. Abrams, Mr. Cosgrove, and Mr. Alvarez. She agreed to make a presentation at the next Trust meeting.

Mr. Cosgrove spoke on behalf of Luis Morse, Chairman of the External Affairs. There was discussion about the projections made to implement the PTP and in order to fulfil those promises made to the citizens of Miami Dade County federal and state matching funds are needed. Although, those projections appear realistic, some projects will not be completed for another 25 years. The current plans are based on 5-year projections that have matching funds available. Staff asked the members to be proactive, especially those members who have a contact with Congressional members.

Mr. Cosgrove said he met with Mr. Jose Abreu, Dept. of Transportation Secretary and mentioned that he would like to address the Trust.

PRESENTATIONS

Mr. Alvarez presented a power point presentation (attached). He discussed in detail the following OPTM divisions: External Affairs; Planning; Engineering & Construction; Administration; Management and CITT Secretariat. He discussed each division's responsibilities; table of organization; and budget. He emphasized that the division of External Affairs handles legislative initiatives for federal, state and regional issues, public affairs and

public involvement. He stressed the importance to continue public involvement with keeping the citizens up to date with new services, projects or any modifications made to the PTP. Citizens' Advisory meetings at communities that will be impacted by transportation projects are required by the Federal Transit Administration. There were over 400 presentations made throughout Miami-Dade County about the PTP prior to the November election and those presentations should continue to be made. Miami Dade County is competing with many states for federal funding and Mr. Alvarez urged the CITT members to be involved in meeting with congressional members. At the present time, OPTM has a total of 100 approved positions, 56 positions have been filled. He has not had an opportunity to meet with the new County Manager, George Burgess to discuss personnel issues. All these positions are tentative until he meets with the County Manager. The majority of the positions are project related not administrative. There has been a lot of discussion about staffing and whether the work should be done in-house or by private consultants in which case, Commissioner Barreiro, Chairman OPTM subcommittee has requested him prepare a business plan that addresses those issues. Once the business plan is completed and presented to the subcommittee it will also be distributed to the Trust. He noted that based on research conducted every major city (Seattle, Phoenix, Dallas, Denver) that has undertaken a similar program, has employed a minimum of 300 to 400 additional staff.

Mr. Cosgrove said a cost analysis would be helpful. Mr. Alvarez responded that the business plan would have a side-by-side comparison and the advantages and disadvantages of hiring staff in-house or outside consultants.

Mr. Wilde said the Senate and Finance Committee has a proposal to reduce the proportion of federal gas tax for public transportation and asked if the county has been involved with that issue. Mr. Wilde asked about Joint Development.

Mr. Alvarez responded that at the present time, 80% of the transportation package is funded by the transportation trust fund, 20% of that comes from the general fund of the federal government. What is being proposed is the opposite. Joint Development is the term used for private developers building on county property. The developer then shares the revenues from sales/rent with the county. To date the County has been able to obtain nine leases throughout the County in several of the Metrorail stations, such as Douglas Road, Allapattah, Overtown and Santa Clara Station. This joint development increases the use of the station and helps increase ridership. The revenues obtained are reinvested back to transportation.

Mr. Alvarez discussed the conceptual cash flow plan (distributed). The plan was presented to the BCC last July. The figures on the chart will change because they were based on various assumptions. A financial advisor from the County will be reviewing the document in greater detail and will make the appropriate adjustments. The importance of the document is that it will be reviewed by the federal government to determine if there are sufficient funds to complete the projects proposed. The documents assume that all the PTP projects will be completed within 20 years. It also assumes that the maintenance of effort will be constant, the transit fare will remain at \$1.25 which is below average. There is going to be adjustments made that cannot be foreseen.

Mr. Abrams questioned the feasibility of the projects being completed.

Mr. Alvarez said all the projects are also subject to MPO approval. MPO may suggest a different project, which may alter the cost. In addition it assumes that the federal government will participate at 50% and the state at 25% for capital cost. It does assume that 100% of the operations will come from local sources. All the assumptions were tested by the Center for Urban Transportation Research and the Florida International University Metropolitan Center.

Mr. Buoniconti stated that at the last Budget and Finance Committee meeting the same issue was discussed and it was unclear that there would be enough monies to complete the PTP because the estimates are based on many assumptions. The committee will be reviewing the County Manager's proposed budget as well as the 23-year budget and will report back to the Trust in July.

Mr. Abrams welcomed and introduced George M. Burgess, Miami Dade County Manager.

Mr. Burgess thanked the members for their willingness to serve and said that he looks forward to working with them.

Mr. Abrams announced that Mr. James Reeder has been officially sworn in by the Clerk of the Court and is now an official member of the CITT.

Mr. Abrams invited Mr. Roosevelt Bradley, Director MDT to make a presentation.

Mr. Bradley briefly updated the members on transit services and stated that he will also be preparing a business plan and will be presented to the OPTM subcommittee. He invited the members to tour the MDT facilities and will contact OPTM to coordinate a date. The total number of MDT employees will increase from 2800 employees to 6000 employees. In order to give everyone in the community an opportunity to work for MDT, it has teamed up with South Florida Workforce, Miami-Dade Employee Relations Department, and General Service Administration to start an apprenticeship program for the dislocated/disadvantaged worker through Miami Dade Public technical schools. The programs will kick-off in July.

ACTION ITEMS

LtCol Colmenares stated that a motion to 5A1 "Amendment to the PTP was made earlier when Commissioner Seijas was present and the bus improvements was already included in his report which has been approved, therefore he does not believe it needs any further action. He asked to defer item 53A Capital Improvement Projects to the Project Review Committee.

Mr. Libhaber stated what was approved earlier was the PRC report which will be submitted to the BCC however to add something to the PTP a resolution is needed and then that resolution will then be forwarded to the BCC for approval.

Mr. Cosgrove motioned to approve item 5A2 "Approved Bus Service Improvements of the PTP", seconded by Mr. Givens and carried without dissent.

Mr. Wilde asked why those bus service improvements were not included in the PTP, because the booklet shows that they are.

Mr. Cuevas, Assistant County Attorney stated that when the PTP was presented to the BCC it did not include the detailed list of bus service improvements. Therefore, the Trust needs to formally approve the bus improvements.

Mr. Alvarez stated that that list was distributed to the public before November 5 and was given to the BCC, however it was never formally approved.

Mr. Alvarez asked LtCol Colmenares if he would discuss the item "Rail and Mover Vehicle Rehab, \$15,400,000 and \$188,830,000.

LtCol Colmenares moved to approve line item 2 "Mover Vehicle Rehab for \$15,400,000 from the Project to be funded by the PTP resolution 5A3. Mr. Abrams asked for a clarification.

LtCol Colmenares clarified the motion to approve the Capital Improvement Plan submitted by the OPTM Director specifically line #2 "Mover Vehicle Rehab" for \$15,400,000 be approved by the CITT Board, seconded by Mr. Reeder and carried without dissent.

Mr. Bradley presented background information on the items. He said the project began 5 years ago and ceased because lack of funding and resources. The contract has been prepared however it takes several months to place an RFP therefore is requesting the Trust's approval.

Mr. Bouniconti commented that he does not feel comfortable approving the capital improvements projects because he does not know how it may affect implementing the projects already approved in the PTP.

Mr. Givens asked for the maker of the motion to withdrawal his motion in order to make a new motion that will give Mr. Bradley what he needs. This will eliminate being inspected by the federal government and remove any vehicles from circulation.

Mr. Bradley stated that they are required to provide reports to the federal government because they are aware that MDT has not rehabilitate those vehicles.

Mr. Abrams asked the maker of the motion to change the motion.

LtCol Colmenares responded that he does feel comfortable approving \$188 million for those projects without the PRC reviewing the projects and making a recommendation.

Mr. Bouniconti questioned if surtax monies should pay those projects and how that would affect the projects in the PTP.

Mr. Cuevas responded that the motion on the table is to add those projects to the PTP therefore surtax proceeds will pay for the cost.

Mr. Cosgrove suggested that the members who have concerns to meet with Mr. Bradley individually. In addition, he asked Mr. Bradley if deferring the item until the next CITT meeting in July would present a problem.

Mr. Bradley responded it would not, but wanted the members to be aware that even though these projects were not initially part of the PTP, they should have been because one of the commitments made to the public was to improve service, which has been done. By increasing service it has also increased the mileage and wear and tear on the trains.

LtCol Colmenares withdrew his motion, seconded by Mr. Reeder.

Mr. Abrams stated that the item is deferred to the PRC for further review at the next meeting, July 16, 2003.

Mr. Givens stated that he is unhappy that the item was not passed and that he expects to discuss the items at the next CITT meeting in July.

Mr. Wilde stated that he agrees with Mr. Bradley's request however he is unclear that the surtax proceeds should pay for those projects.

Mr. Givens made a motion to approve Mover Vehicle Rehab for \$15,400,000 and Rail Mid-Life Rehab for \$188,830,000, seconded by Mr. Reeder.

Mr. Bouniconti stated that he believes the rehab is needed however does not agree that it should be done by surtax proceeds that may have a negative impact on PTP projects.

Mr. Bradley stated that maintenance and expanding service should not be separated.

Mr. Cosgrove commented that Mr. Bradley had previously stated that he did not have a problem deferring the item until the next CITT meeting in July which will give the members an opportunity to meet with him.

Mr. Givens asked Mr. Bradley if he was comfortable waiting until next month. Mr. Bradley stated it would not present a problem. Mr. Givens withdrew the motion until next month, seconded by Mr. Reeder.

LtCol Colmenares asked for a breakdown of the projects over a period of years in order to make a recommendation to the CITT in July. He stated that he supports those projects but he believes it needs to be reviewed by committee.

Mr. Abrams asked staff to make sure that any action items are reviewed by the appropriate committee for their recommendation to the Trust. This will give the committee members the opportunity to obtain information needed or have staff answer any questions or concerns before it is discussed at the Trust meetings.

NEW BUSINESS

Mr. Wilde made a motion to authorize the Interim Chairman to request from the County Manager the assignment of a specific outside auditor currently used by the County to review the Manager's budget recommendations as they relate to the use of sales tax proceeds, maintenance of effort, and the 5% limit of proceeds for administrative costs. The motion was seconded by Mr. Reeder and carried without dissent.

Mr. Abrams briefly explained the need for an outside auditor to review those issues as stated by Mr. Wilde. In addition, Ms. Labrousse will be investigating the various options available to the CITT to hire an independent auditor.

Mr. Cosgrove said that he asked the County Attorney to draft a resolution for consideration by the Trust to forward to the BCC requesting them to amend the ordinance 02-116 to provide that municipalities created after November 5, 2002 shall receive a pro rata share of the County share of sales surtax proceeds. He asked that the issue be discussed at the appropriate committee for a recommendation.

Mr. Libhaber responded that he would draft a resolution and forward it to the appropriate committee.

Mr. Buoniconti asked on the status of the Interlocal Agreement that was submitted to the BCC.

Mr. Cuevas stated that the Agreement was approved by the Trust and the BCC therefore it is not necessary to be brought back to the Trust.

LtCol Colmenares asked which version of the Interlocal Agreement was approved, the one with Attachment A or the shorter version.

Mr. Cuevas responded the shorter version.

Mr. Buoniconti stated that the Trust approved the Interlocal Agreement with the two attachments; the other Interlocal Agreement that the BCC approved was not approved by the Trust.

Mr. Cuevas said the BCC approved the shorter version unanimously and the County Attorney's office felt it did not need to be brought back to the Trust. He said he could provide a copy of the BCC tape for review.

Mr. Bouniconti stated it should be brought back to the Trust for the record to reflect that the CITT did not approve the Interlocal Agreement that was approved by the BCC. And that the BCC did in fact override the Trust's recommendation.

Mr. Wilde stated that the County Attorney's office should have reported back to the Trust the outcome of the BCC's decision.

CITIZEN PARTICIPATION

Frank Hernandez, member of the Citizen's Advisory Transportation Committee distributed a letter of support. He said that CTAC has adopted resolutions supporting various transit projects that are consistent with the PTP. In addition, he suggested that a change in the CITT agenda be made to have "Citizen Comments" in the beginning of the meeting and publicly notice all the meetings to give the citizens an opportunity to attend.

Mr. Toledo, Interim Secretariat responded that all the CITT meetings and committee meetings have been publicly noticed in the Business Review through the Clerk of the Court, in the Metro Calendar, and on the website www.trafficrelief.com. The process for publicly noticing the meetings are the same the Board of County Commissioners use for their meetings and are in compliance with the ordinance.

ADJOURNMENT

There being no further business the meeting was adjourned at 12:10 pm.